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TO: Karen Williams: Box PCT  
Fax #703-305-3230

FROM: John F. Salazar DATE: January 5, 2001

PAGES: 5 in total (including cover sheet)

RE: 09/646,811, filing from International Application No.  
PCT/EP99/01768

Remarks: This facsimile is in response to the Notification of a Defective Response dated January 3, 2001.

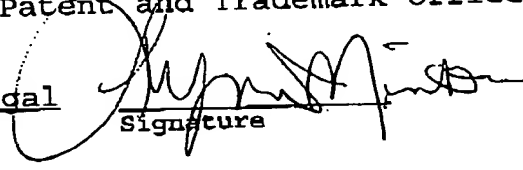
Attached are the following documents:

1. Copy of Notification of a Defective Response;
2. Response to the Notification of a Defective Response;
3. Revised replacement sheet, page 25, correcting Claim 21;

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below

Lynn Minton, Paralegal  
Person Signing

  
Signature

1/5/01  
Date



UNITED STATES DEPARTMENT OF COMMERCE  
 Patent and Trademark Office  
 Address: ASSISTANT COMMISSIONER FOR PATENTS  
 Box PCT  
 Washington, D.C. 20231

U.S. APPLICATION NO. <b>09/646811</b>	FIRST NAMED APPLICANT <b>TRINKIES</b>	ATTY. DOCKET NO. <b>BATG 5</b>
JOHN F SALAZAR 2500 BROWN WILLIAMSON TOWER LOUISVILLE, KY 40202		INTERNATIONAL APPLICATION NO. <b>PCT/EP99/01768</b>
		LA. FILING DATE <b>17 MAR 99</b>
		PRIORITY DATE <b>23 MAR 98</b>
		DATE MAILED: <b>03 JAN 2001</b>

### NOTIFICATION OF A DEFECTIVE RESPONSE

**RECEIVED JAN 5**

1. ☐ The request for an extension of time (37 CFR 1.136(a)) filed \_\_\_\_\_ is defective because the required fee is missing/insufficient. Extension of time fees are listed at 37 CFR 1.17(a)(1)-(a)(5).
2. ☐ Applicant's response filed \_\_\_\_\_ was received in the Office on \_\_\_\_\_, which is after the expiration of the period for response set in the last Office notification mailed \_\_\_\_\_. This application will become abandoned unless applicant obtains an extension of time to reply to the last Office notification under 37 CFR 1.136(a).
3. ☒ Applicant's response filed **05 DEC 00** included the following items, the receipt of which is hereby acknowledged:

- ☐ Copy of the international application in:
  - ☐ a non-English language.
  - ☐ English.
- ☒ Translation of the international application into English ☒ which is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☒ Processing fee (37 CFR 1.492(f)) ☐ which is insufficient.
- ☐ Oath or Declaration of inventor(s).
- ☐ in compliance with 37 CFR 1.497(a) and (b).
- ☐ not in compliance with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☐ Surcharge (37 CFR 1.492(e)) ☐ which is insufficient.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☐ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☒ Preliminary amendment(s).
- ☐ Information Disclosure Statement(s).
- ☐ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification.
- ☐ Verified Statement Claiming Small Entity Status.
- ☐ Priority Document.
- ☐ Other:

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**JAN 5 2001**  
**JFS**

4. ☒ All of the requirements set forth in the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905 mailed **06 NOV 00**) have not been completed.

Applicant is required to complete the response within a time limit of **ONE MONTH** from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements (Form DO/EO/905), whichever is the longer. No extension of this time limit may be granted under 37 C.F.R. § 1.136, but the period for response set in the Notification of Missing Requirements may be extended up to a maximum of five months.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

Enclosed: ☐ PCT/DO/EO/917 ☒ Notice of Defective Translation

Karen Williams *KW*  
 Telephone: 703-305-3688

FORM PCT/DO/EO/916 (December 1997)



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

U.S. APPLICATION NO.

ATTACHMENT TO FORM PCT/DO/EO/

09/646811

**NOTICE OF DEFECTIVE TRANSLATION**

The received translation is defective because:

- ☐ (1) The text in the drawings has not been properly translated;
- ☐ (2) The number of claims in the International Application and the number of claims in the translation are not the same;
- ☐ (3) The translation of the International Application is incomplete as a number of pages are missing;
- ☒ (4) Other.

CLAIM 21 IS INCOMPLETE.

Karen Williams *kw*

Telephone: 703-305-3688

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: )  
Trinkies, et al. )  
Serial No.: 09/646,811 )  
Filed: 22 September 2000 )  
International Filing Date: 17 March 1999 )  
For: A DO-IT-YOURSELF CIGARETTE )  
MAKER AND COMPONENT )  
ASSEMBLIES )

**RESPONSE TO NOTIFICATION OF A DEFECTIVE RESPONSE**

Assistant Commissioner for Patents  
Box PCT  
Washington, D.C. 20231

Dear Sir:

In response to the Notification of a Defective Response, please find enclosed the revised **replacement sheet** for page 25 representing the correct translation of claim 21 as originally filed in the PCT Published Application No. PCT/EP99/01768. Entry of the revised replacement sheet is respectfully requested.

Respectfully submitted,



John F. Salazar, Esq.

Reg No. 39,353

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MIDDLETON REUTLINGER

2500 Brown & Williamson Tower

Louisville, Kentucky 40202

Date: 5 January, 2001

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\*\*\* RX REPORT \*\*\*  
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